In the High Court of Uttaranchal, at Nainital.

Writ Petition No. 275 of 2004 (S/B)

1- Kailash Chandra Joshi,
S/o Gopal Dutt Joshi, R/o G.I.C. Road
New Khati Bhawan, Pithoragarh.
2- Prakash Chandra Pandey,
S/o Shiv Dutt Pandey, R/o House No. 148,
Dharchula Road, Pithoragarh Uttaranchal.
3- Kharak Singh Waldiya
S/o Kalayan Singh Waldiya
R/o Village & Post Paun,
District Pithoragarh, Uttaranchal.
4- Hem Chandra Tatrai,
R/o Shankar Dutt Tatrari,
R/o Village Rai P.O. Agar,
District Pithoragarh, Uttaranchal …… Petitioner.

Versus

1- State of Uttaranchal
through Secretary Karmik, Civil Secretariat,
Dehradun
2- Public Service Commission Uttaranchal,
Haridwar, Uttaranchal.
3- Chief Engineer Level-1 Public Works
Department Yamuna Colony Dehradun.
4- Chief Engineer Level-1, Irrigation,
Yamuna Colony, Dehradun, Uttaranchal.
5- Upper Sachiv, Panchayati Raj, Rural Engineering
Service, Rural Department, Civil
Secretariat, Dehradun, Uttaranchal.
6- Chief Engineer, Rural Engineering Service,
Raipur Road, Dehradun, Uttaranchal.
7- Chief Engineer Agriculture Department
Dehradun, Uttaranchal …… Respondents.

Sri L.S. Samant, learned counsel for the petitioners.
Sri U.K. Uniyal, learned Addl. G.A. for the State.
Sri B.D. Kandpal, learned S.C. for Public Service Commission.

Coram: Hon'ble P.C. Verma, J.
Hon'ble B.C. Kandpal, J.

Dated: 31-03-2006

By means of this writ petition, the petitioners have challenged the selection made by the State of Uttaranchal for the posts of Junior Engineers in various Government departments.

2- Learned counsel for the parties have submitted that on law and facts the controversy raised in this writ petition is squarely covered by the judgment dated 2-3-2006 of a Division

Bench of this Court rendered in Bunch Matter [writ petitions 149/2004 (S/B), 44/2004 (S/B), 129/2004 (S/B), 132/2004 (S/B), 135/2004 (S/B), 136/2004 (S/B), 137/2004 (S/B), 147/2004 (S/B), 148/2004 (S/B), 159/2004 (S/B), 162/2004 (S/B), 169/2004 (S/B), 172/2004 (S/B), 186/2004 (S/B), 197/2004 (S/B), 255/2004 (S/B), 300/2004 (S/B), 302/2004 (S/B), and 352/2004 (S/B)]. The learned counsel for the parties agreed that the present writ petition may be decided in terms of aforesaid judgment of the Division Bench.

3- Therefore, the writ petition is decided in terms of the aforesaid judgment and order dated 2-3-2006 of the Division Bench. The State Government and the Public Service Commission, both , are directed to give weightage of 10 bonus marks to the trained apprentice candidates as per the 'Uttaranchal Subordinate Service [Emergency Direct Recruitment (First Amendment)] Rules 2003' in the selection held by U.P.S.C. and after adding 10 marks, merit list of the selected candidates be prepared and recommended for the appointment to the Government. All the successful candidates shall be given appointment in the remaining vacancies of the Junior Engineers in the various departments of the Government and the instrumentalities of the State according to the merit list of apprentices selected in the merit list, as directed in the judgment dated 2-3-2006 by the Division Bench.

(B.C. Kandpal, J.) **(P.C. Verma,J.)**

ISB